

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:
AARON GRABLE

CHAPTER 13
CASE NO. 23-46615-MAR
JUDGE MARK A RANDON

Debtor _____ /

TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN

Now Comes the Chapter 13 Trustee, KRISPEN S. CARROLL, and files her objections pursuant to E.D. Mich. LBR 3015-3(a) and opposes confirmation of the Chapter 13 Plan where it does not comply with Bankruptcy Code provisions, 11 U.S.C. §§ 1325, 1322, other applicable provisions of Title 11 Chapter 13 and Local Bankruptcy Rules, as follows:

1. Trustee requires an update regarding sale of real estate located at 26817 Seven Mile Road, Redford, MI 48239.
2. Trustee objects to debtor's failure to complete Part 2 of the Bankruptcy Petition Coversheet.
3. Based upon Trustee's calculations, debtor's Plan is underfunded and infeasible.
4. Trustee objects to storage unit expense on Schedule J where the debtor no longer has storage units.
5. Trustee questions debtor's valuation of the real property listed on Schedule A and requests a recent real property tax bills with State Equalized Value statements and any other documentation upon which debtor relies, as it may affect the best interest of creditors pursuant to 11 U.S.C. § 1325(a)(4). Trustee further requests a copy of the deeds by which debtor obtained title to the real property and copies of deeds for any subsequent transfers, the notes, mortgages, and most recent mortgage

statements.

6. Trustee objects to debtor's failure to attach a "statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income," as required for Line 8a on Schedule I.
7. Trustee objects to confirmation of the Plan as the value of property to be distributed under the Plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate of the debtor were liquidated under Chapter 7, contrary to 11 U.S.C. § 1325(a)(4). Under the ruling of In re Hardy, 755 F2d 75 (6th Cir. 1985), the debtor must provide interest to unsecured creditors. The Trustee is requiring 100% plus 9% interest to all unsecured creditors in the Chapter 13 Plan.
8. Trustee requires a date certain upon which debtor will remit a lump sum as indicated in part II.B. of the Chapter 13 plan.
9. Trustee requires a copy of the land contract and amortization schedule.
10. Trustee objects to the retention of and payment on a 2005 Bentley GT with a monthly payment of \$710, which is a luxury item and not reasonably necessary for the debtor's maintenance and support in this 60-month, 100% Plan as it affects disposable income pursuant to 11 U.S.C. § 1325(b)(1). Trustee questions if debtor continues to rent out this vehicle for income.
11. Trustee objects to the direct payment to S&F Real Property, Road Runner Auto Sales, and Joh Miller, as the debt is in arrears. Therefore, direct payment to such creditor is not justified pursuant to E. D. Mich. LBR 3070-1. Further, under E. D. Mich. LBR 4001-5(a)(1), the Trustee is required to make all pre-confirmation payments to Road Runner Auto Sales. The Trustee requires that debtor file an amended Chapter 13 plan to propose payments to this creditor be paid by the Chapter 13 Trustee and immediately begin making increased Chapter 13 payments to the Trustee to account

for the payments to be made to the creditor.

12. Trustee requires six months of bank statements from all accounts to verify income.

Wherefore, the Chapter 13 Trustee prays this Honorable Court deny confirmation of the debtor's Chapter 13 Plan and for other and further relief as the Court deems appropriate, including dismissal.

Dated: November 17, 2023

OFFICE OF THE CHAPTER 13 TRUSTEE -DETROIT
KRISPEN S. CARROLL, CHAPTER 13 TRUSTEE

/s/ KRISPEN S. CARROLL-mg

Krispen S. Carroll (P49817)

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CERTIFICATE OF MAILING

I hereby certify that on the date indicated below, I electronically filed TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

FREGO AND ASSOCIATES
23843 JOY ROAD
DEARBORN HEIGHTS, MI 48127

November 17, 2023

/s/ Shannon Horton

SHANNON HORTON

For the Office of the Chapter 13 Trustee-Detroit

719 Griswold Street, Ste 1100

Detroit, MI 48226

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